

**BEFORE THE
BOARD OF REGISTERED NURSING
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA**

In the Matter of the Accusation and Petition to
Revoke Probation Against:

Case No. 2008-102

KATHY GAYLE SKEELS aka KATHY
GAYLE CLAVERT aka KATHY GAYLE
McCLERNON aka KATHY GAYLE ELDER
6368 Desert Queen Avenue
Twentynine Palms, CA 92277-2521

Registered Nurse License No. RN 484175

Respondent.

DECISION AND ORDER

The attached Stipulated Surrender of License and Order is hereby adopted by the
Board of Registered Nursing, Department of Consumer Affairs, as its Decision in this matter.

This Decision shall become effective on APRIL 9, 2008.

It is so ORDERED APRIL 9, 2008.

LaTranene W Tate

FOR THE BOARD OF REGISTERED NURSING
DEPARTMENT OF CONSUMER AFFAIRS

1 EDMUND G. BROWN JR., Attorney General
of the State of California
2 KAREN B. CHAPPELLE
Supervising Deputy Attorney General
3 GLORIA A. BARRIOS, State Bar No. 94811
Supervising Deputy Attorney General
4 California Department of Justice
300 So. Spring Street, Suite 1702
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E-mail: gloria.barrios@doj.ca.gov
7

8 Attorneys for Complainant

9 **BEFORE THE**
BOARD OF REGISTERED NURSING
10 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

11 In the Matter of the Accusation and Petition to
12 Revoke Probation Against:

Case No. 2008-102

13 KATHY GAYLE SKEELS aka KATHY
14 GAYLE CLAVERT aka KATHY GAYLE
McCLERNON aka KATHY GAYLE ELDER
6368 Desert Queen Avenue
Twentynine Palms, CA 92277-2521

**STIPULATED SURRENDER OF
LICENSE AND ORDER**

15 Registered Nurse License No. RN 484175

16 Respondent.
17

18
19 IT IS HEREBY STIPULATED AND AGREED by and between the parties in this
20 proceeding that the following matters are true:

21 **PARTIES**

22 1. Ruth Ann Terry, M.P.H., R.N. (Complainant) is the Executive Officer of
23 the Board of Registered Nursing. She brought this action solely in her official capacity and is
24 represented in this matter by Edmund G. Brown Jr., Attorney General of the State of California,
25 by Gloria A. Barrios, Supervising Deputy Attorney General.

26 2. Kathy Gayle Skeels aka Kathy Gayle Clavert aka Kathy Gayle McClernon
27 aka Kathy Gayle Elder (Respondent) represents herself in this proceeding.

28 ///

1 3. On or about August 31, 1992, the Board of Registered Nursing (the Board)
2 issued Registered Nurse License No. RN 484175 to Kathy Gayle Skeels aka Kathy Gayle
3 Clavert aka Kathy Gayle McClernon aka Kathy Gayle Elder . The license was in full force and
4 effect at all times relevant to the charges brought in Petition to Revoke Probation and Accusation
5 in Case No. 2008-102 and will expire on May 31, 2008, unless renewed. Effective December
6 19, 2005, the Board in a disciplinary action entitled "In the Matter of the Accusation Against
7 Kathy Gayle Skeels aka Kathy Gayle Clavert aka Kathy Gayle McClernon aka Kathy Gayle
8 Elder," Case No. 2002-109, issued a decision, in which Respondent's Registered Nurse License
9 was revoked. However, the revocation was stayed and Respondent's license was placed on
10 probation for a period of three (3) years with certain terms and conditions. A copy of that
11 decision is attached as Exhibit A and incorporated by reference.

12
13 **JURISDICTION**

14 4. The Accusation and Petition to Revoke Probation Case No. 2008-102 was
15 filed before the Board, Department of Consumer Affairs, and is currently pending against
16 Respondent. The Accusation and Petition and all other statutorily required documents were
17 properly served on Respondent on October 6, 2007. Respondent timely filed her Notice of
18 Defense contesting the Accusation and Petition. A copy of the Accusation and Petition Case No.
19 2008-102 is attached as exhibit B and incorporated herein by reference.

20 **ADVISEMENT AND WAIVERS**

21 5. Respondent has carefully read and understands the charges and allegations
22 in the Accusation and Petition Case No. 2008-102. Respondent also has carefully read, and
23 understands the effects of this Stipulated Surrender of License and Order.

24 6. Respondent is fully aware of her legal rights in this matter, including the
25 right to a hearing on the charges and allegations in the Accusation and Petition; the right to be
26 represented by counsel, at her own expense; the right to confront and cross-examine the
27 witnesses against her; the right to present evidence and to testify on her own behalf; the right to
28 the issuance of subpoenas to compel the attendance of witnesses and the production of

1 documents; the right to reconsideration and court review of an adverse decision; and all other
2 rights accorded by the California Administrative Procedure Act and other applicable laws.

3 7. Respondent voluntarily, knowingly, and intelligently waives and gives up
4 each and every right set forth above.

5 CULPABILITY

6 8. Respondent admits the truth of each and every charge and allegation in the
7 Accusation and Petition Case No. 2008-102, agrees that cause exists for discipline and hereby
8 surrenders her Registered Nurse License No. RN 484175 for the Board's formal acceptance.

9 9. Respondent understands that by signing this stipulation she enables the
10 Board to issue an order accepting the surrender of her Registered Nurse License without further
11 process.

12 CONTINGENCY

13 10. This stipulation shall be subject to approval by the Board of Registered
14 Nursing. Respondent understands and agrees that counsel for Complainant and the staff of the
15 Board of Registered Nursing may communicate directly with the Board regarding this stipulation
16 and settlement, without notice to or participation by Respondent. By signing the stipulation,
17 Respondent understands and agrees that she may not withdraw her agreement or seek to rescind
18 the stipulation prior to the time the Board considers and acts upon it. If the Board fails to adopt
19 this stipulation as its Decision and Order, the Stipulated Surrender and Disciplinary Order shall
20 be of no force or effect, except for this paragraph, it shall be inadmissible in any legal action
21 between the parties, and the Board shall not be disqualified from further action by having
22 considered this matter.

23 11. The parties understand and agree that facsimile copies of this Stipulated
24 Surrender of License and Order, including facsimile signatures thereto, shall have the same force
25 and effect as the originals.

26 12. In consideration of the foregoing admissions and stipulations, the parties
27 agree that the (Board) may, without further notice or formal proceeding, issue and enter the
28 following Order:

ORDER

IT IS HEREBY ORDERED that Registered Nurse License No. RN 484175, issued to Respondent Kathy Gayle Skeels aka Kathy Gayle Clavert aka Kathy Gayle McClernon aka Kathy Gayle Elder is surrendered and accepted by the Board of Registered Nursing.

13. The surrender of Respondent's Registered Nurse License and the acceptance of the surrendered license by the Board shall constitute the imposition of discipline against Respondent. This stipulation constitutes a record of the discipline and shall become a part of Respondent's license history with the Board.

14. Respondent shall lose all rights and privileges as a registered nurse in California as of the effective date of the Board's Decision and Order.

15. Respondent shall cause to be delivered to the Board both her wall and pocket license certificate on or before the effective date of the Decision and Order.

16. Respondent fully understands and agrees that if she ever files an application for licensure or a petition for reinstatement in the State of California, the Board shall treat it as a petition for reinstatement. Respondent must comply with all the laws, regulations and procedures for reinstatement of a revoked license in effect at the time the petition is filed, and all of the charges and allegations contained in the Petition Case No. 2003-100 shall be deemed to be true, correct, and admitted by Respondent when the Board determines whether to grant or deny the petition.

17. Upon reinstatement of the license, Respondent shall pay to the Board costs associated with its investigation and enforcement pursuant to Business and Professions Code section 125.3 in the amount of Five Thousand, Five Hundred Dollars and No Cents (\$5, 500.00). Respondent shall be permitted to pay these costs in a payment plan approved by the Board.

18. Should Respondent ever apply or reapply for a new license or certification, or petition for reinstatement of a license, by any other health care licensing agency in the State of California, all of the charges and allegations contained in the Accusation and Petition Case No. 2008-102 shall be deemed to be true, correct, and admitted by Respondent for the purpose of any Statement of Issues or any other proceeding seeking to deny or restrict licensure.

1 19. Respondent shall not apply for licensure or petition for reinstatement for
2 two (2) years from the effective date of the Board of Registered Nursing's Decision and Order.

3 **ACCEPTANCE**

4 I have carefully read the above Stipulated Surrender of License and Order. I
5 understand the stipulation and the effect it will have on my Registered Nurse License . I enter
6 into this Stipulated Surrender of License and Order voluntarily, knowingly, and intelligently, and
7 agree to be bound by the Decision and Order of the Board of Registered Nursing.

8 DATED: 12-22-06.

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10 

11 KATHY GAYLE SKEELS aka KATHY GAYLE
12 CLAVERT aka KATHY GAYLE McCLERNON aka
KATHY GAYLE ELDER
Respondent

13
14 **ENDORSEMENT**

15 The foregoing Stipulated Surrender of License and Order is hereby respectfully
16 submitted for consideration by the Board of Registered Nursing of the Department of Consumer
17 Affairs.

18
19 DATED: 1/7/08

20 EDMUND G. BROWN JR., Attorney General
21 of the State of California

22 ALFREDO TERRAZAS
23 Senior Assistant Attorney General

24 

25 GLORIA A. BARRIOS
26 Supervising Deputy Attorney General

27 Attorneys for Complainant

Exhibit B
Petition to Revoke Probation No. 2008-102
Accusation No. 2008-102

1 EDMUND G. BROWN JR. Attorney General
of the State of California
2 KAREN B. CHAPPELLE,
Supervising Deputy Attorney General
3 GLORIA BARRIOS, State Bar No. 94811
Supervising Deputy Attorney General
4 California Department of Justice
300 So. Spring Street, Suite 1702
5 Los Angeles, CA 90013
Telephone: (213) 897-2540
6 Facsimile: (213) 897-2804

7 Attorneys for Complainant

8 **BEFORE THE**
9 **BOARD OF REGISTERED NURSING**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

11 In the Matter of the Petition to Revoke Probation
Against:

Case No. 2008-102

12 KATHY GAYLE SKEELS
13 aka KATHY GAYLE CLAVERT
aka KATHY GAYLE McCLERNON
14 aka KATHY GAYLE ELDER
6368 Desert Queen Avenue
15 Twentynine Palms, CA 92277-2521

**PETITION TO REVOKE
PROBATION**

16 Registered Nurse License No. 484175

17 Respondent.

18 Complainant alleges:

19 **PARTIES**

20 1. Ruth Ann Terry, M.P.H., R.N. (Complainant) brings this Petition to
21 Revoke Probation solely in her official capacity as the Executive Officer of the Board of
22 Registered Nursing, Department of Consumer Affairs (Board).

23 2. On or about August 31, 1992, the Board issued Registered Nurse License
24 No. 484175 to Kathy Gayle Skeels aka Kathy Gayle Clavert aka Kathy Gayle McClermon aka
25 Kathy Gayle Elder (Respondent). Effective December 19, 2005, the Board of Registered Nursing
26 in a disciplinary action entitled "In the Matter of the First Amended Accusation Against Kathy
27 Gayle Skeels aka Kathy Gayle Clavert aka Kathy Gayle McClermon aka Kathy Gayle Elder,"
28

1 Case No. 2002-109, issued a decision, in which Respondent's Registered Nurse License was
2 revoked. However, the revocation was stayed and Respondent's license was placed on probation
3 for a period of three (3) years with certain terms and conditions. A copy of that decision is
4 attached as Exhibit A and incorporated by reference. Respondent's Registered Nurse License
5 expires on May 31, 2008.

6 **JURISDICTION**

7 3. This Petition to Revoke Probation is brought before the Board, under the
8 authority of the following laws. All Section references are to the Business and Professions Code
9 unless otherwise indicated.

10 4. Section 2750 provides, in pertinent part, that the Board may discipline any
11 licensee, including a licensee holding a temporary or an inactive license, for any reason provided
12 in Article 3 (commencing with section 2750) of the Nursing Practice Act.

13 5. Section 2764 provides, in pertinent part, that the expiration of a license
14 shall not deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the
15 licensee or to render a decision imposing discipline on the license. Under Section 2811,
16 subdivision (b), the Board may renew an expired license at any time within eight years after the
17 expiration.

18 6. Section 118, subdivision (b), provides that the suspension, expiration,
19 surrender or cancellation of a license shall not deprive the Board of jurisdiction to proceed with a
20 disciplinary action during the period within which the license may be renewed, restored, reissued
21 or reinstated.

22 7. Section 125.3 provides, in pertinent part, that the Board may request the
23 administrative law judge to direct a licensee found to have committed a violation or violations
24 of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and
25 enforcement of the case.

26 **PETITION TO REVOKE PROBATION**

27 **PROBATION TERMS**

28 8. Among the terms and conditions imposed on Respondent by the Board in

Case No. 2002-109, are:

1. Obey all Laws. Respondent shall obey all federal, state and local laws. A full and detailed account of any and all violations of law shall be reported by Respondent to the Board in writing within seventy-two (72) hours of occurrence. To permit monitoring of compliance with this condition, Respondent shall submit completed fingerprint forms and fingerprint fees within 45 days of the effective date of the decision, unless previously submitted as part of the licensure application process.

11. Cost Recovery. Respondent shall pay to the Board costs associated with its investigation and enforcement pursuant to Business and Professions Code section 125.3 in the amount of \$5,500.00. Respondent shall be permitted to pay these costs in a payment plan approved by the Board, with payments to be completed no later than three months prior to the end of the probation term.

GROUND FOR REVOKING PROBATION

9. Grounds exist for revoking probation and reimposing the order of revocation of Respondent's license in that Respondent failed to comply with the following terms of probation:

a. Probation Condition No. 1, Obey all Laws, by being convicted for the Transportation of a Control Substance in violation of Health and Safety Code section 11379(a), a felony and Possession for Sale of a Controlled Substance in violation of Health and Safety Code section 11378, a felony, on October 30, 2006, in the case of *State of California v. Kathy Gayle Skeels*, Superior Court of California, County of San Bernardino Joshua Tree District, Case No. FMB008506.

b. Probation Condition No. 11, Cost Recovery, by failing to make any payments to the Board. Her balance is \$5,500.00.

PRAYER

WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Board of Registered Nursing issue a decision:

1. Revoking the probation that was granted by the Board of Registered Nursing in Case No. 2002-109 and imposing the disciplinary order that was stayed thereby revoking Registered Nurse License No. 484175 issued to Kathy Gayle Skeels aka Kathy Gayle Clavert aka Kathy Gayle McClermon aka Kathy Gayle Elder ;


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1 2. Revoking or suspending Registered Nurse License No. 484175, issued to
2 Kathy Gayle Skeels aka Kathy Gayle Clavert aka Kathy Gayle McClemon aka Kathy Gayle
3 Elder;

4 3. Ordering Kathy Gayle Skeels aka Kathy Gayle Clavert aka Kathy Gayle
5 McClemon aka Kathy Gayle Elder to pay the Board of Registered Nursing the reasonable costs
6 of the investigation and enforcement of this case, pursuant to Business and Professions Code
7 section 125.3;

8 4. Taking such other and further action as deemed necessary and proper.
9

10 DATED: 9/24/07
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12
13 
14 RUTH ANN TERRY, M.P.H., R.N.
15 Executive Officer
16 Board of Registered Nursing
17 Department of Consumer Affairs
18 State of California
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Complainant

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1 EDMUND G. BROWN JR., Attorney General
of the State of California

2 KAREN B. CHAPPELLE

Supervising Deputy Attorney General

3 GLORIA A. BARRIOS, State Bar No. 94811

Supervising Deputy Attorney General

4 California Department of Justice

300 So. Spring Street, Suite 1702

5 Los Angeles, CA 90013

Telephone: (213) 897-2540

6 Facsimile: (213) 897-2804

7 Attorneys for Complainant

8 **BEFORE THE**
9 **BOARD OF REGISTERED NURSING**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

11 In the Matter of the Accusation Against:

Case No. 2008-102

12 KATHY GAYLE SKEELS

aka KATHY GAYLE CLAVERT

13 aka KATHY GAYLE McCLERNON

aka KATHY GAYLE ELDER

14 6368 Desert Queen Avenue

Twentynine Palms, CA 92277-2521

15 Registered Nurse License No. 484175

16 Respondent.

ACCUSATION

18 Complainant alleges:

19 **PARTIES**

20 1. Ruth Ann Terry, M.P.H., R.N. (Complainant) brings this Accusation
21 solely in her official capacity as the Executive Officer of the Board of Registered Nursing,
22 Department of Consumer Affairs.

23 2. On or about August 31, 1992, the Board of Registered Nursing issued
24 Registered Nurse License No. 484175 to Kathy Gayle Skeels aka Kathy Gayle Clavert aka Kathy
25 Gayle McClernon aka Kathy Gayle Elder (Respondent). The Registered Nurse License was in
26 full force and effect at all times relevant to the charges brought herein and will expire on May 31,
27 2008, unless renewed.
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1 or administer to another, any controlled substance as defined in Division 10 (commencing with
2 Section 11000) of the Health and Safety or any dangerous device as defined in Section 4022.”

3 8. Section 490 of the Code states:

4 “A board may suspend or revoke a license on the ground that the licensee has
5 been convicted of a crime, if the crime is substantially related to the qualifications, functions, or
6 duties of the business or profession for which the license was issued. A conviction within the
7 meaning of this section means a plea or verdict of guilty or a conviction following a plea of nolo
8 contendere. Any action which a board is permitted to take following the establishment of a
9 conviction may be taken when the time for appeal has elapsed, or the judgment of conviction has
10 been affirmed on appeal, or when an order granting probation is made suspending the imposition
11 of sentence, irrespective of a subsequent order under the provisions of Section 1203.4 of the
12 Penal Code.”

13 9. California Code of Regulations, title 16, section 1444, states:

14 “A conviction or act shall be considered to be substantially related to the
15 qualifications, functions or duties of a registered nurse if to a substantial degree it evidences the
16 present or potential unfitness of a registered nurse to practice in a manner consistent with the
17 public health, safety, or welfare.”

18 10. Section 125.3 of the Code provides, in pertinent part, that the Board may
19 request the administrative law judge to direct a licentiate found to have committed a violation or
20 violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation
21 and enforcement of the case.

22 11. **CONTROLLED SUBSTANCE**

23 a. Methamphetamine is a Schedule II controlled substances as defined in
24 Health and Safety Code section 11055(d)(2) and is categorized as a dangerous drug pursuant to
25 Business and Professions Code section 4022 of the Code.

26 **FIRST CAUSE FOR DISCIPLINE**

27 **(Conviction of a Substantially Related Crimes)**

28 12. Respondent has subjected her license to disciplinary action under section

1 2761, subdivision (f), in conjunction with section 490 as defined in California Code of
2 Regulations, title 16, section 1444, on the grounds of unprofessional conduct in that Respondent
3 was convicted of a substantially related crime. The circumstances are as follows:

4 A. On or about October 30, 2006, Respondent was convicted by the
5 Court on a plea of nolo contendere to one count of violating Health and Safety Code section
6 11379(a), a felony, (transportation of a controlled substance) and Health and safety Code section
7 11378, a felony, (possession for sale of a controlled substance in the Superior Court of the State
8 of California, County of San Bernardino, Joshua Tree District, Case No. FMB008506, entitled
9 *The People of the State of California v. Kathy Gayle Skeels*.

10 B. The circumstances surrounding the conviction are that on or about
11 October 19, 2006 San Bernardino sheriff officers served a search warrant on respondent at her
12 home. Respondent attempted to hide her handbag. A search revealed six plastic baggies
13 containing a white crystal substance (Methamphetamine). Officers also discovered a can with
14 five additional baggies containing a white crystal substance (Methamphetamine). Other items
15 discovered were numerous plastic baggies commonly used to package controlled substances, a
16 "pay-owe" sheet, \$52.00 dollars in cash, a small electronic scale commonly used to measure
17 small amounts of controlled substances.

18 **SECOND CAUSE FOR DISCIPLINE**

19 **(Possession of a Controlled Substance)**

20 13. Respondent is subject to disciplinary action under section 2761,
21 subdivision (d) as defined in section 2762, subdivision (a) on the grounds of unprofessional
22 conduct for violating Health and Safety Code section 11378 in that Respondent possessed a
23 controlled substance, to wit: Methamphetamine, to herself as more fully set forth in paragraph
24 12, above.

25
26 **PRAYER**

27 WHEREFORE, Complainant requests that a hearing be held on the matters herein
28 alleged, and that following the hearing, the Board of Registered Nursing issue a decision:

1 1. Revoking or suspending Registered Nurse License No. 484175, issued to
2 Kathy Gayle Skeels aka Kathy Gayle Clavert aka Kathy Gayle McClernon aka Kathy Gayle
3 Elder.

4 2. Ordering Kathy Gayle Skeels aka Kathy Gayle Clavert aka Kathy Gayle
5 McClernon aka Kathy Gayle Elder to pay the Board of Registered Nursing the reasonable costs
6 of the investigation and enforcement of this case, pursuant to Business and Professions Code
7 section 125.3;

8 3. Taking such other and further action as deemed necessary and proper.

9 DATED: 9/24/07

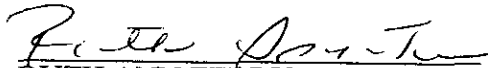
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13 RUTH ANN TERRY, M.P.H., R.N.
14 Executive Officer
15 Board of Registered Nursing
16 Department of Consumer Affairs
17 State of California
18 Complainant
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Exhibit A

Decision and Order

Board of Registered Nursing Case No. 2002-109

**BEFORE THE
BOARD OF REGISTERED NURSING
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA**

In the Matter of the First Amended Accusation
Against:

KATHY GAYLE SKEELS

Respondent.

Case No. 2002 -109

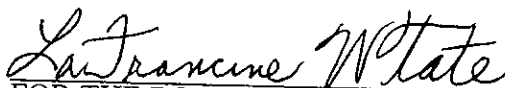
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DECISION AND ORDER

The attached Stipulated Settlement and Disciplinary Order is hereby adopted by the Board of Registered Nursing, Department of Consumer Affairs, as its Decision in this matter.

This Decision shall become effective on DECEMBER 19, 2005.

It is so ORDERED November 18, 2005.



FOR THE BOARD OF REGISTERED NURSING
DEPARTMENT OF CONSUMER AFFAIRS

1 BILL LOCKYER, Attorney General
of the State of California
2 RICHARD D. GARSKE, State Bar No. 50569
Supervising Deputy Attorney General
3 California Department of Justice
110 West "A" Street, Suite 1100
4 San Diego, CA 92101

5 P.O. Box 85266
San Diego, CA 92186-5266
6 Telephone: (619) 645-2075
Facsimile: (619) 645-2061
7

8 Attorneys for Complainant

9 **BEFORE THE**
BOARD OF REGISTERED NURSING
10 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

11
12 In the Matter of the First Amended Accusation
Against:

13 **KATHY GAYLE SKEELS**
6368 Desert Queen Avenue
14 Twentynine Palms, CA 92277-2521

15 Respondent.

Case No. 2002 -109

OAH No. L - 2002060542

**STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER**

16
17
18 **IT IS HEREBY STIPULATED AND AGREED** by and between the parties to
19 the above-entitled proceedings that the following matters are true:
20

21 **PARTIES**

22 1. Ruth Ann Terry, M.P.H., R.N. (Complainant) is the Executive Officer of
23 the Board of Registered Nursing. She brought this action solely in her official capacity and is
24 represented in this matter by Bill Lockyer, Attorney General of the State of California, by
25 Richard D. Garske, Supervising Deputy Attorney General.

26 2. Kathy Gayle Skeels (Respondent) is representing herself in this
27 proceeding.

28 ///

3. On or about August 31, 1992, the Board of Registered Nursing issued Registered Nurse License Number 484175 to Respondent. The license will expire on May 31, 2006, unless renewed.

JURISDICTION

4. Accusation No. 2002-109 was filed before the Board of Registered Nursing (Board), Department of Consumer Affairs. The Accusation and all other statutorily required documents were properly served on Respondent on January 15, 2002. Respondent timely filed her Notice of Defense contesting the Accusation. The First Amended Accusation was filed July 29, 2002 and was properly served on respondent on August 14, 1992. A copy of First Amended Accusation No. 2002 -109 is attached as Exhibit A and incorporated herein by reference.

ADVISEMENT AND WAIVERS

5. Respondent has carefully read, and understands the charges and allegations in First Amended Accusation No. 2002 -109. Respondent has also carefully read, and understands the effects of this Stipulated Settlement and Disciplinary Order.

6. Respondent is fully aware of her legal rights in this matter, including the right to a hearing on the charges and allegations in the First Amended Accusation; the right to be represented by counsel at her own expense; the right to confront and cross-examine the witnesses against her ; the right to present evidence and to testify on her own behalf; the right to the issuance of subpoenas to compel the attendance of witnesses and the production of documents; the right to reconsideration and court review of an adverse decision; and all other rights accorded by the California Administrative Procedure Act and other applicable laws.

7. Respondent voluntarily, knowingly, and intelligently waives and gives up each and every right set forth above.

CULPABILITY

8. Respondent admits the truth of each and every charge and allegation in First Amended Accusation No. 2002-109.

///

9. Respondent agrees that her Registered Nurse License Number 484175 is subject to discipline and she agrees to be bound by the Board's imposition of discipline as set forth in the Disciplinary Order below.

RESERVATION

10. The admissions made by Respondent herein are only for the purposes of this proceeding, or any other proceedings in which the Board of Registered Nursing or other professional licensing agency is involved, and shall not be admissible in any other criminal or civil proceeding.

MITIGATION

11. Respondent's Superior Court case referenced in First Amended Accusation, paragraphs 12 and 17 was dismissed by the court on July 20, 2004, pursuant to Penal Code section 1210.1(d) following successful completion of the court's Proposition 36 Program.

CONTINGENCY

12. This stipulation shall be subject to approval by the Board of Registered Nursing. Respondent understands and agrees that counsel for Complainant and the staff of the Board of Registered Nursing may communicate directly with the Board regarding this stipulation and settlement, without notice to or participation by Respondent. By signing the stipulation, Respondent understands and agrees that she may not withdraw her agreement or seek to rescind the stipulation prior to the time the Board considers and acts upon it. If the Board fails to adopt this stipulation as its Decision and Order, the Stipulated Settlement and Disciplinary Order shall be of no force or effect, except for this paragraph, it shall be inadmissible in any legal action between the parties, and the Board shall not be disqualified from further action by having considered this matter.

13. The parties understand and agree that facsimile copies of this Stipulated Settlement and Disciplinary Order, including facsimile signatures thereto, shall have the same force and effect as the originals.

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1 14. In consideration of the foregoing admissions and stipulations, the parties
2 agree that the Board may, without further notice or formal proceeding, issue and enter the
3 following Disciplinary Order:

4 **DISCIPLINARY ORDER**

5 IT IS HEREBY ORDERED that Registered Nurse License No. 484175 issued to
6 Respondent Kathy Gayle Skeels is revoked. However, the revocation is stayed and Respondent
7 is placed on probation for three (3) years on the following terms and conditions.

8 **Severability Clause.** Each condition of probation contained herein is a separate
9 and distinct condition. If any condition of this Order, or any application thereof, is declared
10 unenforceable in whole, in part, or to any extent, the remainder of this Order, and all other
11 applications thereof, shall not be affected. Each condition of this Order shall separately be valid
12 and enforceable to the fullest extent permitted by law.

13 1. **Obey All Laws.** Respondent shall obey all federal, state and local laws.
14 A full and detailed account of any and all violations of law shall be reported by Respondent to
15 the Board in writing within seventy-two (72) hours of occurrence. To permit monitoring of
16 compliance with this condition, Respondent shall submit completed fingerprint forms and
17 fingerprint fees within 45 days of the effective date of the decision, unless previously submitted
18 as part of the licensure application process.

19 **Criminal Court Orders:** If Respondent is under criminal court orders,
20 including probation or parole, and the order is violated, this shall be deemed a violation of these
21 probation conditions, and may result in the filing of an accusation and/or petition to revoke
22 probation.

23 2. **Comply with the Board's Probation Program.** Respondent shall fully
24 comply with the conditions of the Probation Program established by the Board and cooperate
25 with representatives of the Board in its monitoring and investigation of the Respondent's
26 compliance with the Board's Probation Program. Respondent shall inform the Board in writing
27 within no more than 15 days of any address change and shall at all times maintain an active,
28 current license status with the Board, including during any period of suspension.

1 Upon successful completion of probation, Respondent's license shall be fully
2 restored.

3 **3. Report in Person.** Respondent, during the period of probation, shall
4 appear in person at interviews/meetings as directed by the Board or its designated
5 representatives.

6 **4. Residency, Practice, or Licensure Outside of State.** Periods of
7 residency or practice as a registered nurse outside of California shall not apply toward a reduction
8 of this probation time period. Respondent's probation is tolled, if and when she resides outside
9 of California. Respondent must provide written notice to the Board within 15 days of any change
10 of residency or practice outside the state, and within 30 days prior to re-establishing residency or
11 returning to practice in this state.

12 Respondent shall provide a list of all states and territories where she has ever been
13 licensed as a registered nurse, vocational nurse, or practical nurse. Respondent shall further
14 provide information regarding the status of each license and any changes in such license status
15 during the term of probation. Respondent shall inform the Board if she applies for or obtains a
16 new nursing license during the term of probation.

17 **5. Submit Written Reports.** Respondent, during the period of probation,
18 shall submit or cause to be submitted such written reports/declarations and verification of actions
19 under penalty of perjury, as required by the Board. These reports/declarations shall contain
20 statements relative to Respondent's compliance with all the conditions of the Board's Probation
21 Program. Respondent shall immediately execute all release of information forms as may be
22 required by the Board or its representatives.

23 Respondent shall provide a copy of this Decision to the nursing regulatory agency
24 in every state and territory in which she has a registered nurse license.

25 **6. Function as a Registered Nurse.** Respondent, during the period of
26 probation, shall engage in the practice of registered nursing in California for a minimum of 24
27 hours per week for 6 consecutive months or as determined by the Board.

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1 For purposes of compliance with the section, "engage in the practice of registered
2 nursing" may include, when approved by the Board, volunteer work as a registered nurse, or
3 work in any non-direct patient care position that requires licensure as a registered nurse.

4 The Board may require that advanced practice nurses engage in advanced practice
5 nursing for a minimum of 24 hours per week for 6 consecutive months or as determined by the
6 Board.

7 If Respondent has not complied with this condition during the probationary term,
8 and Respondent has presented sufficient documentation of her good faith efforts to comply with
9 this condition, and if no other conditions have been violated, the Board, in its discretion, may
10 grant an extension of Respondent's probation period up to one year without further hearing in
11 order to comply with this condition. During the one year extension, all original conditions of
12 probation shall apply.

13 **7. Employment Approval and Reporting Requirements.** Respondent
14 shall obtain prior approval from the Board before commencing or continuing any employment,
15 paid or voluntary, as a registered nurse. Respondent shall cause to be submitted to the Board all
16 performance evaluations and other employment related reports as a registered nurse upon request
17 of the Board.

18 Respondent shall provide a copy of this Decision to her employer and immediate
19 supervisors prior to commencement of any nursing or other health care related employment.

20 In addition to the above, Respondent shall notify the Board in writing within
21 seventy-two (72) hours after she obtains any nursing or other health care related employment.
22 Respondent shall notify the Board in writing within seventy-two (72) hours after she is
23 terminated or separated, regardless of cause, from any nursing, or other health care related
24 employment with a full explanation of the circumstances surrounding the termination or
25 separation.

26 **8. Supervision.** Respondent shall obtain prior approval from the Board
27 regarding Respondent's level of supervision and/or collaboration before commencing or continu-
28 ing any employment as a registered nurse, or education and training that includes patient care.

1 Respondent shall practice only under the direct supervision of a registered nurse
2 in good standing (no current discipline) with the Board of Registered Nursing, unless alternative
3 methods of supervision and/or collaboration (e.g., with an advanced practice nurse or physician)
4 are approved.

5 Respondent's level of supervision and/or collaboration may include, but is not
6 limited to the following:

7 (a) Maximum - The individual providing supervision and/or collaboration is
8 present in the patient care area or in any other work setting at all times.

9 (b) Moderate - The individual providing supervision and/or collaboration is in
10 the patient care unit or in any other work setting at least half the hours Respondent works.

11 (c) Minimum - The individual providing supervision and/or collaboration has
12 person-to-person communication with Respondent at least twice during each shift worked.

13 (d) Home Health Care - If Respondent is approved to work in the home health
14 care setting, the individual providing supervision and/or collaboration shall have person-to-
15 person communication with Respondent as required by the Board each work day. Respondent
16 shall maintain telephone or other telecommunication contact with the individual providing
17 supervision and/or collaboration as required by the Board during each work day. The individual
18 providing supervision and/or collaboration shall conduct, as required by the Board, periodic, on-
19 site visits to patients' homes visited by Respondent with or without Respondent present.

20 9. **Employment Limitations.** Respondent shall not work for a nurse's
21 registry unless approved by the Board. Additionally, respondent shall not work in any private
22 duty position as a registered nurse, a temporary nurse placement agency, a traveling nurse, or for
23 an in-house nursing pool.

24 Respondent shall not work for a licensed home health agency as a visiting nurse
25 unless the registered nursing supervision and other protections for home visits have been
26 approved by the Board. Respondent shall not work in any other registered nursing occupation
27 where home visits are required.

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1 Respondent shall not work in any health care setting as a supervisor of registered
2 nurses. The Board may additionally restrict Respondent from supervising licensed vocational
3 nurses and/or unlicensed assistive personnel on a case-by-case basis.

4 Respondent shall not work as a faculty member in an approved school of nursing
5 or as an instructor in a Board approved continuing education program.

6 Respondent shall work only on a regularly assigned, identified and predetermined
7 worksite(s) and shall not work in a float capacity.

8 If Respondent is working or intends to work in excess of 40 hours per week, the
9 Board may request documentation to determine whether there should be restrictions on the hours
10 of work.

11 10. **Complete a Nursing Course(s).** Respondent, at her own expense, shall
12 enroll and successfully complete a course(s) relevant to the practice of registered nursing no later
13 than six months prior to the end of her probationary term.

14 Respondent shall obtain prior approval from the Board before enrolling in the
15 course(s). Respondent shall submit to the Board the original transcripts or certificates of
16 completion for the above required course(s). The Board shall return the original documents to
17 Respondent after photocopying them for its records.

18 11. **Cost Recovery.** Respondent shall pay to the Board costs associated with
19 its investigation and enforcement pursuant to Business and Professions Code section 125.3 in the
20 amount of Five Thousand Five Hundred Dollars (\$5,500.00). Respondent shall be permitted to
21 pay these costs in a payment plan approved by the Board, with payments to be completed no later
22 than three months prior to the end of the probation term.

23 If Respondent has not complied with this condition during the probationary term,
24 and Respondent has presented sufficient documentation of her good faith efforts to comply with
25 this condition, and if no other conditions have been violated, the Board, in its discretion, may
26 grant an extension of Respondent's probation period up to one year without further hearing in
27 order to comply with this condition. During the one year extension, all original conditions of
28 probation will apply.

1 12. **Violation of Probation.** If Respondent violates the conditions of her
2 probation, the Board after giving Respondent notice and an opportunity to be heard, may set
3 aside the stay order and impose the stayed discipline (revocation/suspension) of Respondent's
4 license.

5 If during the period of probation, an accusation or petition to revoke probation has
6 been filed against Respondent's license or the Attorney General's Office has been requested to
7 prepare an accusation or petition to revoke probation against Respondent's license, the
8 probationary period shall automatically be extended and shall not expire until the accusation or
9 petition has been acted upon by the Board.

10 13. **License Surrender.** During Respondent's term of probation, if she ceases
11 practicing due to retirement, health reasons or is otherwise unable to satisfy the conditions of
12 probation, Respondent may surrender her license to the Board. The Board reserves the right to
13 evaluate Respondent's request and to exercise its discretion whether to grant the request, or to
14 take any other action deemed appropriate and reasonable under the circumstances, without
15 further hearing. Upon formal acceptance of the tendered license and wall certificate, Respondent
16 will no longer be subject to the conditions of probation.

17 Surrender of Respondent's license shall be considered a disciplinary action and
18 shall become a part of Respondent's license history with the Board. A registered nurse whose
19 license has been surrendered may petition the Board for reinstatement no sooner than the
20 following minimum periods from the effective date of the disciplinary decision:

21 (1) Two years for reinstatement of a license that was surrendered for any
22 reason other than a mental or physical illness; or

23 (2) One year for a license surrendered for a mental or physical illness.

24 14. **Physical Examination.** Within 45 days of the effective date of this
25 Decision, Respondent, at her expense, shall have a licensed physician, nurse practitioner, or
26 physician assistant, who is approved by the Board before the assessment is performed, submit an
27 assessment of the Respondent's physical condition and capability to perform the duties of a
28 registered nurse. Such an assessment shall be submitted in a format acceptable to the Board. If

1 medically determined, a recommended treatment program will be instituted and followed by the
2 Respondent with the physician, nurse practitioner, or physician assistant providing written
3 reports to the Board on forms provided by the Board.

4 If Respondent is determined to be unable to practice safely as a registered nurse,
5 the licensed physician, nurse practitioner, or physician assistant making this determination shall
6 immediately notify the Board and Respondent by telephone, and the Board shall request that the
7 Attorney General's office prepare an accusation or petition to revoke probation. Respondent
8 shall immediately cease practice and shall not resume practice until notified by the Board.
9 During this period of suspension, Respondent shall not engage in any practice for which a license
10 issued by the Board is required until the Board has notified Respondent that a medical
11 determination permits Respondent to resume practice. This period of suspension will not apply
12 to the reduction of this probationary time period.

13 If Respondent fails to have the above assessment submitted to the Board within
14 the 45-day requirement, Respondent shall immediately cease practice and shall not resume
15 practice until notified by the Board. This period of suspension will not apply to the reduction of
16 this probationary time period. The Board may waive or postpone this suspension only if
17 significant, documented evidence of mitigation is provided. Such evidence must establish good
18 faith efforts by Respondent to obtain the assessment, and a specific date for compliance must be
19 provided. Only one such waiver or extension may be permitted.

20 **15. Participate in Treatment/Rehabilitation Program for Chemical**
21 **Dependence.** Respondent, at her expense, shall successfully complete during the probationary
22 period or shall have successfully completed prior to commencement of probation a Board-
23 approved treatment/rehabilitation program of at least six months duration. As required, reports
24 shall be submitted by the program on forms provided by the Board. If Respondent has not
25 completed a Board-approved treatment/rehabilitation program prior to commencement of
26 probation, Respondent, within 45 days from the effective date of the decision, shall be enrolled in
27 a program. If a program is not successfully completed within the first nine months of probation,
28 the Board shall consider Respondent in violation of probation.

1 Based on Board recommendation, each week Respondent shall be required to
2 attend at least one, but no more than five 12-step recovery meetings or equivalent (e.g., Narcotics
3 Anonymous, Alcoholics Anonymous, etc.) and a nurse support group as approved and directed
4 by the Board. If a nurse support group is not available, an additional 12-step meeting or
5 equivalent shall be added. Respondent shall submit dated and signed documentation confirming
6 such attendance to the Board during the entire period of probation. Respondent shall continue
7 with the recovery plan recommended by the treatment/rehabilitation program or a licensed
8 mental health examiner and/or other ongoing recovery groups.

9 **16. Abstain from Use of Psychotropic (Mood-Altering) Drugs.** Respondent
10 shall completely abstain from the possession, injection or consumption by any route of all
11 psychotropic (mood altering) drugs, including alcohol, except when the same are ordered by a
12 health care professional legally authorized to do so as part of documented medical treatment.
13 Respondent shall have sent to the Board, in writing and within fourteen (14) days, by the
14 prescribing health professional, a report identifying the medication, dosage, the date the
15 medication was prescribed, the Respondent's prognosis, the date the medication will no longer
16 be required, and the effect on the recovery plan, if appropriate.

17 Respondent shall identify for the Board a single physician, nurse practitioner or
18 physician assistant who shall be aware of Respondent's history of substance abuse and will
19 coordinate and monitor any prescriptions for Respondent for dangerous drugs, controlled
20 substances or mood-altering drugs. The coordinating physician, nurse practitioner, or physician
21 assistant shall report to the Board on a quarterly basis Respondent's compliance with this
22 condition. If any substances considered addictive have been prescribed, the report shall identify a
23 program for the time limited use of any such substances.

24 The Board may require the single coordinating physician, nurse practitioner, or
25 physician assistant to be a specialist in addictive medicine, or to consult with a specialist in
26 addictive medicine.

27 **17. Submit to Tests and Samples.** Respondent, at her expense, shall
28 participate in a random, biological fluid testing or a drug screening program which the Board

1 approves. The length of time and frequency will be subject to approval by the Board.
2 Respondent is responsible for keeping the Board informed of Respondent's current telephone
3 number at all times. Respondent shall also ensure that messages may be left at the telephone
4 number when she is not available and ensure that reports are submitted directly by the testing
5 agency to the Board, as directed. Any confirmed positive finding shall be reported immediately
6 to the Board by the program and Respondent shall be considered in violation of probation.

7 In addition, Respondent, at any time during the period of probation, shall fully
8 cooperate with the Board or any of its representatives, and shall, when requested, submit to such
9 tests and samples as the Board or its representatives may require for the detection of alcohol,
10 narcotics, hypnotics, dangerous drugs, or other controlled substances.

11 If Respondent has a positive drug screen for any substance not legally authorized
12 and not reported to the coordinating physician, nurse practitioner, or physician assistant, and the
13 Board files a petition to revoke probation or an accusation, the Board may suspend Respondent
14 from practice pending the final decision on the petition to revoke probation or the accusation.
15 This period of suspension will not apply to the reduction of this probationary time period.

16 If Respondent fails to participate in a random, biological fluid testing or drug
17 screening program within the specified time frame, Respondent shall immediately cease practice
18 and shall not resume practice until notified by the Board. After taking into account documented
19 evidence of mitigation, if the Board files a petition to revoke probation or an accusation, the
20 Board may suspend Respondent from practice pending the final decision on the petition to
21 revoke probation or the accusation. This period of suspension will not apply to the reduction of
22 this probationary time period.

23 18. **Mental Health Examination.** Respondent shall, within 45 days of the
24 effective date of this Decision, have a mental health examination including psychological testing
25 as appropriate to determine her capability to perform the duties of a registered nurse. The
26 examination will be performed by a psychiatrist, psychologist or other licensed mental health
27 practitioner approved by the Board. The examining mental health practitioner will submit a
28 written report of that assessment and recommendations to the Board. All costs are the

1 responsibility of Respondent. Recommendations for treatment, therapy or counseling made as a
2 result of the mental health examination will be instituted and followed by Respondent.

3 If Respondent is determined to be unable to practice safely as a registered nurse,
4 the licensed mental health care practitioner making this determination shall immediately notify
5 the Board and Respondent by telephone, and the Board shall request that the Attorney General's
6 office prepare an accusation or petition to revoke probation. Respondent shall immediately cease
7 practice and may not resume practice until notified by the Board. During this period of
8 suspension, Respondent shall not engage in any practice for which a license issued by the Board
9 is required, until the Board has notified Respondent that a mental health determination permits
10 Respondent to resume practice. This period of suspension will not apply to the reduction of this
11 probationary time period.

12 If Respondent fails to have the above assessment submitted to the Board within
13 the 45-day requirement, Respondent shall immediately cease practice and shall not resume
14 practice until notified by the Board. This period of suspension will not apply to the reduction of
15 this probationary time period. The Board may waive or postpone this suspension only if
16 significant, documented evidence of mitigation is provided. Such evidence must establish good
17 faith efforts by Respondent to obtain the assessment, and a specific date for compliance must be
18 provided. Only one such waiver or extension may be permitted.

19 **19. Therapy or Counseling Program.** Respondent, at her expense, shall
20 participate in an on-going counseling program until such time as the Board releases her from this
21 requirement and only upon the recommendation of the counselor. Written progress reports from
22 the counselor will be required at various intervals.

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DATED: 9-27-05

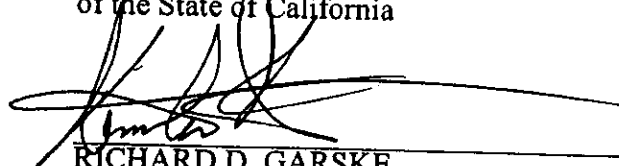
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ENDORSEMENT

The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully submitted for consideration by the Board of Registered Nursing of the Department of Consumer Affairs.

DATED: 10/20/05

BILL LOCKYER, Attorney General
of the State of California



RICHARD D. GARSKE
Supervising Deputy Attorney General

Attorneys for Complainant

Exhibit A

First Amended Accusation No. 2002 -109

1 **BILL LOCKYER, Attorney General**
of the State of California
2 **TIMOTHY L. NEWLOVE, State Bar No. 73428**
Deputy Attorney General
3 California Department of Justice
110 West "A" Street, Suite 1100
4 San Diego, CA 92101

5 P.O. Box 85266
San Diego, CA 92186-5266
6 Telephone: (619) 645-3034
Facsimile: (619) 645-2061

7 Attorneys for Complainant
8

9
10 **BEFORE THE**
BOARD OF REGISTERED NURSING
11 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

12 In the Matter of the Accusation Against:

Case No. 2002-109

13 **KATHY GAYLE SKEELS**
aka KATHY GAYLE CLAVERT
14 aka KATHY GAYLE McCLERNON
aka KATHY GAYLE ELDER
15 6368 Desert Queen Avenue
Twentynine Palms, California 92277-2521

**FIRST AMENDED
ACCUSATION**

16 Registered Nurse License No. 484175
17

18 Respondent.

19 Complainant alleges:

20 **PARTIES**

21 1. Ruth Ann Terry, M.P.H., R.N. (Complainant) brings this First Amended
22 Accusation solely in her official capacity as the Executive Officer of the Board of Registered
23 Nursing, Department of Consumer Affairs.

24 2. On or about August 31, 1992, the Board of Registered Nursing ("Board")
25 issued Registered Nurse License Number 484175 to Kathy Gayle Skeels, aka Kathy Gayle
26 Clavert, Kathy Gayle McClernon, and Kathy Gayle Elder ("Respondent"). The license will
27 expire on May 31, 2004, unless renewed.

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“(c) Be convicted of a criminal offense involving the prescription, consumption, or self-administration of any of the substances described in subdivisions (a) and (b) of this section . . .”

7. Business and Professions Code section 125.3 states, in pertinent part, that the Board may request the administrative law judge to direct a licensee found to have committed a violation or violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case.

FACTS

8. At all times material herein, Amphetamine was and is a Schedule II controlled substance as designated by Health and Safety Code section 11055(d)(1), and a dangerous drug within the meaning of Business and Professions Code section 4022.

9. At all times material herein, Methamphetamine was and is a Schedule II controlled substance as designated by Health and Safety Code section 11055(d)(2), and a dangerous drug within the meaning of Business and Professions Code section 4022.

10. On or about September 28, 2000, while assigned to work as registered nurse at Desert Regional Medical Center from Staffing Resources, a nurse registry, respondent appeared impaired and was requested to take a drug screen and blood alcohol test. The result of the drug screen were positive for Amphetamine and Methamphetamine.

11. On or about February 14, 2001, two investigators from the Division of Investigation visited respondent at her house and requested respondent to provide a urine sample for drug testing. The results of the drug test were positive for Amphetamine and Methamphetamine.

12. On or about October 18, 2001, in the Superior Court of California, County of Riverside, Indio Branch, Case No. INM 11646, respondent SKEELS was convicted upon her plea of guilty of violating Health and Safety Code section 11550(a) (under the influence of a controlled substance). The facts and circumstances behind this conviction are described in paragraph 10 hereinabove.

///

1 FIRST CAUSE FOR DISCIPLINE

2 (Possess and Self-Administer Controlled Substances)

3 13. Complainant incorporates herein by this reference the preamble and each
4 of the allegations set forth in paragraphs 1 through 12 hereinabove.

5 14. The registered nurse license held by respondent SKEELS is subject to
6 discipline under Business and Professions Code section 2761(a), for a violation of Business and
7 Professions Code section 2762(a) and 2762(b), in that the drug tests described in paragraphs 10
8 and 11 hereinabove indicate that respondent obtained and self-administered Amphetamine and
9 Methamphetamine in violation of the law and in a manner dangerous to herself and the public.

10 SECOND CAUSE FOR DISCIPLINE

11 (Unprofessional Conduct)

12 15. Complainant incorporates herein by this reference the preamble and each
13 of the allegations set forth in paragraphs 1 through 12 hereinabove.

14 16. The registered nurse license held by respondent SKEELS is subject to
15 discipline under Business and Professions Code section 2761(a), in that, by attending work and
16 performing nursing functions after self-administering Amphetamine and Methamphetamine, and
17 by obtaining and self-administering said controlled substances, respondent engaged in
18 unprofessional conduct.

19 THIRD CAUSE FOR DISCIPLINE

20 (Criminal Conviction)

21 17. Complainant incorporates herein by this reference the preamble and each
22 of the allegations set forth in paragraphs 1 through 12 hereinabove.

23 18. The registered nurse license held by respondent SKEELS is subject to
24 discipline under Business and Professions Code sections 2761(f) and 2762(c), based upon the
25 criminal conviction described in paragraph 12 hereinabove.

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1 PRAYER


2 WHEREFORE, Complainant requests that a hearing be held on the matters herein
3 alleged, and that following the hearing, the Board issue a decision:

4 1. Revoking or suspending Registered Nurse License Number 484175, issued
5 to Kathy Gayle Skeels, aka Kathy Gayle Clavert, Kathy Gayle McClernon, and Kathy Gayle
6 Elder;

7 2. Ordering Kathy Gayle Skeels, aka Kathy Gayle Clavert, Kathy Gayle
8 McClernon, and Kathy Gayle Elder to pay the Board the reasonable costs of the investigation and
9 enforcement of this case, pursuant to Code section 125.3; and

10 3. Taking such other and further action as deemed necessary and proper.
11

12 DATED: 7/29/02.
13

14 
15 RUTH ANN TERRY, M.P.H., R.N.
16 Executive Officer
17 Board of Registered Nursing
18 Department of Consumer Affairs
19 State of California
20 Complainant
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28 Accusation.wpt 6/13/02

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